

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**MARIO VALENZUELA-CENTENO,
ROSARIO RAMIREZ-MORENO and
JESSICA MARTINEZ,**

Defendants.

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8:06CR71

ORDER CONTINUING TRIAL

This matter is before the court on the Motion to Continue Trial [80] filed by defendant, Rosario Ramirez-Moreno. For good cause shown, the court finds that the motion should be granted.

IT IS ORDERED that defendant's Motion to Continue [80] is granted, as follows:

1. The trial of this matter is continued from October 17, 2006 to November 7, 2006 before Judge Laurie Smith Camp and a jury.

2. In accordance with 18 U.S.C. § 3161(h)(A), I find that the ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between October 17, 2006 and November 7, 2006, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act, 18 U.S.C. § 3161 due to counsel's scheduling conflict. Failure to grant a continuance would unreasonably deny the defendant continuity of counsel, be likely to make a continuation of such proceeding impossible, and/or result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

3. Defendant, Rosario Ramirez-Moreno shall file a waiver of speedy trial as required by NECrimR 12.1 on or before **October 2, 2006**.

DATED September 21, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**